



General Assembly

February Session, 2008

Raised Bill No. 5764

LCO No. 2357

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Referred to Committee on General Law

Introduced by:
(GL)

***AN ACT REQUIRING THE REGISTRATION OF ELECTRONIC
SECURITY ALARM COMPANIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) As used in sections 1 to 6,
2 inclusive, of this act, unless the context clearly indicates otherwise:

3 (1) "Certificate" means a certificate of registration as an electronic
4 security alarm company;

5 (2) "Commissioner" means the Commissioner of Consumer
6 Protection or any person designated by the commissioner to
7 administer and enforce the provisions of sections 1 to 6, inclusive, of
8 this act;

9 (3) "Engage in the business" means to be in business for the purpose
10 of compensation or profit;

11 (4) "Person" means one or more individuals, partnerships,
12 associations, corporations, limited liability companies, business trusts,
13 legal representatives or any organized group of persons; and

14 (5) "Electronic security alarm company" means a person engaged in
15 the business of installing, maintaining, altering, repairing, replacing or
16 servicing residential, commercial or industrial burglar, fire, access
17 control or video camera security services.

18 Sec. 2. (NEW) (*Effective October 1, 2008*) (a) No person acting
19 individually or jointly with any other person shall establish, conduct,
20 operate or maintain an electronic security alarm company in this state
21 without first obtaining a certificate of registration from the
22 commissioner. No such person shall be relieved of responsibility for
23 the conduct and acts of its agents, employees or officers by reason of
24 his or her compliance with the provisions of this section.

25 (b) Any person seeking a certificate of registration as an electronic
26 security alarm company shall apply to the commissioner, in writing,
27 on a form provided by the commissioner. The application shall include
28 the applicant's name, residence address, business address, business
29 telephone number and such other information as the commissioner
30 may require and, if the applicant is an association, corporation or
31 partnership, such information shall be required for each officer or
32 member.

33 (c) Each application for a certificate of registration as an electronic
34 security alarm company shall be accompanied by a fee of one hundred
35 dollars.

36 (d) All applicants for a certificate of registration under this section
37 shall submit satisfactory proof establishing the applicant: (1) Has
38 fulfilled all of its obligations to the state and is current on all tax
39 payments owed the state; and (2) employs only persons licensed or
40 registered pursuant to chapter 393 of the general statutes and agrees all
41 work performed shall be performed in accordance with said chapter.

42 (e) Upon receipt of a completed application and fee, the
43 commissioner shall (1) issue and deliver to the applicant a certificate of
44 registration as an electronic security alarm company; or (2) refuse to

45 issue or renew the certificate. The commissioner may suspend, revoke
46 or refuse to issue or renew any certificate issued under this section, or
47 may place a registrant on probation or issue a letter of reprimand in
48 accordance with the provisions of sections 3 and 4 of this act. No
49 application for the reinstatement of a certificate which has been
50 revoked shall be accepted by the commissioner earlier than one year
51 after the date of such revocation.

52 (f) Certificates issued to an electronic security alarm company shall
53 not be transferable or assignable.

54 (g) All certificates issued under the provisions of this section shall
55 expire biennially. The fee for renewal of a certificate shall be the same
56 as the fee for an original application.

57 (h) Any registration issued pursuant to this section shall be valid
58 throughout the state.

59 (i) Upon failure by an electronic security alarm company to comply
60 with the registration provisions of this section, the Attorney General, at
61 the request of the commissioner, may apply in the name of the state of
62 Connecticut to the Superior Court for an order temporarily or
63 permanently restraining and enjoining an electronic security alarm
64 company from continuing to do business in the state.

65 Sec. 3. (NEW) (*Effective October 1, 2008*) (a) Upon refusal to issue or
66 renew a certificate, the commissioner shall notify the applicant of the
67 refusal and of the applicant's right to request a hearing not later than
68 ten days after the date of receipt of the notice of refusal.

69 (b) If the applicant requests a hearing within such ten-day period,
70 the commissioner shall give notice of the grounds for the
71 commissioner's refusal and shall conduct a hearing concerning such
72 refusal in accordance with the provisions of chapter 54 of the general
73 statutes concerning contested cases.

74 (c) If the commissioner's refusal of a certificate is sustained after

75 such hearing, an applicant may reapply not earlier than one year after
76 the date on which such denial was sustained.

77 Sec. 4. (NEW) (*Effective October 1, 2008*) (a) The commissioner may
78 revoke, suspend or refuse to issue or renew any certificate of
79 registration as an electronic security alarm company or place an
80 electronic security alarm company on probation or issue a letter of
81 reprimand for: (1) Conduct by the company, or by an employee of the
82 company while in the course of employment, of a character likely to
83 mislead, deceive or defraud the public or the commissioner; or (2) any
84 untruthful or misleading advertising.

85 (b) The commissioner shall not revoke or suspend any certificate of
86 registration except upon notice and hearing in accordance with chapter
87 54 of the general statutes.

88 Sec. 5. (NEW) (*Effective October 1, 2008*) (a) Each person who holds
89 an electronic security alarm company certificate of registration shall:
90 (1) Exhibit the company's certificate of registration upon request by
91 any interested party; (2) state in any advertisement that the company is
92 registered; and (3) include the company registration number in any
93 advertisement.

94 (b) No such person shall: (1) Present or attempt to present, as such
95 person's own, the certificate of another; (2) knowingly give false
96 evidence of a material nature to the commissioner for the purpose of
97 procuring a certificate; (3) represent himself or herself falsely as, or
98 impersonate, a registered electronic security alarm company; (4) use or
99 attempt to use a certificate which has expired or which has been
100 suspended or revoked; (5) offer to provide electronic security alarm
101 services without having a current certificate of registration under the
102 provisions of this act; or (6) represent in any manner that such person's
103 registration constitutes an endorsement by the commissioner of the
104 quality of services provided by such person.

105 (c) In addition to any other remedy provided for in sections 1 to 6,

106 inclusive, of this act, any person who violates any provision of
107 subsection (b) of this section shall be fined not more than one thousand
108 dollars or imprisoned not more than six months, or both.

109 Sec. 6. (NEW) (*Effective October 1, 2008*) The commission may adopt
110 regulations in accordance with the provisions of chapter 54 of the
111 general statutes, to carry out the provisions of this act.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2008</i> | New section |
| Sec. 2 | <i>October 1, 2008</i> | New section |
| Sec. 3 | <i>October 1, 2008</i> | New section |
| Sec. 4 | <i>October 1, 2008</i> | New section |
| Sec. 5 | <i>October 1, 2008</i> | New section |
| Sec. 6 | <i>October 1, 2008</i> | New section |

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| Sec. 5 | <i>October 1, 2008</i> | New section |
| Sec. 6 | <i>October 1, 2008</i> | New section |

Statement of Purpose:

To require that electronic security alarm companies register with the Department of Consumer Protection.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]